



San Bernardino Associated Governments
472 North Arrowhead Avenue, San Bernardino, CA 92401
Phone: (909) 884-8276 Fax: (909) 885-4407
Web: www.sanbag.ca.gov



•San Bernardino County Transportation Commission •San Bernardino County Transportation Authority
•San Bernardino County Congestion Management Agency •Service Authority for Freeway Emergencies

AGENDA

Board of Directors Meeting

March 3, 2004

Start Time: 9:30 a.m.

LOCATION

Norman Feldheym Library, Mary Kellogg Room
555 Sixth Street, San Bernardino

Board of Directors

President

Bill Alexander, Mayor
City of Rancho Cucamonga

Kelly Chastain, Mayor Pro Tem
City of Colton

Gary Ovitt, Mayor
City of Ontario

Paul Cook, Council Member
Town of Yucca Valley

Vice-President

Paul Biane, Supervisor
County of San Bernardino

Mark Nuaimi, Mayor
City of Fontana

Pat Gilbreath, Council Member
City of Redlands

Dennis Hansberger, Supervisor
County of San Bernardino

Jim Nehmens, Mayor
City of Adelanto

Bea Cortes, Council Member
City of Grand Terrace

Kurt Wilson, Mayor Pro Tem
City of Rialto

Bill Postmus, Supervisor
County of San Bernardino

Edward (Ted) Burgnon, Council Member
Town of Apple Valley

James Lindley, Council Member
City of Hesperia

Judith Valles, Mayor
City of San Bernardino

Clifford Young, Supervisor
County of San Bernardino

Lawrence Dale, Mayor
City of Barstow

Larry McCallon, Mayor Pro Tem
City of Highland

Jim Bagley, Mayor
City of Twentynine Palms

Patti Aguiar, Supervisor
County of San Bernardino

Neal Hertzmann, Council Member
City of Big Bear Lake

Robert Christman, Council Member
City of Loma Linda

John Pomierski, Mayor
City of Upland

Anne Mayer, Caltrans
Ex-Officio Member

Eunice Ulloa, Mayor
City of Chino

Paul Eaton, Mayor
City of Montclair

Mike Rothschild, Council Member
City of Victorville

Norman R. King
Executive Director

Gwenn Norton-Perry, Council Member
City of Chino Hills

Rebecca Valentine, Council Member
City of Needles

Richard Riddell, Mayor
City of Yucaipa

**San Bernardino Associated Governments
County Transportation Commission
County Transportation Authority
County Congestion Management Agency
Service Authority for Freeway Emergencies**

Board of Directors

AGENDA

March 3, 2004

9:30 a.m.

Location:

Norman Feldheim Library, Mary Kellogg Room
555 Sixth Street, San Bernardino

<p>To obtain additional information on any items, please contact the staff person listed under each item. You are encouraged to obtain any clarifying information prior to the meeting to allow the Board to move expeditiously in its deliberations. Additional meeting procedures and agenda explanations are attached to the end of this agenda.</p>

Call to Order - 9:30 a.m.
(Meeting chaired by Mayor Bill Alexander)

- I. Attendance
- II. Announcements
- III. Agenda Notices/Modifications – Vicki Watson

Notes/Actions:

1. Possible Conflict of Interest Issues for the SANBAG Board Meeting of March 3, 2004. Pg. 10

Note agenda item contractors, subcontractors and agents, which may require member abstentions due to conflict of interest and financial interests. Board Member abstentions shall be stated under this item for recordation on the appropriate item.

[brd0403z-dmk.doc](#)

Consent Calendar

Consent Calendar items shall be adopted by a single vote unless removed by Board member request. Items pulled from the consent calendar will be brought up under Agenda Item 18.

Administrative Matters

2. **Board of Directors Attendance Roster** [brdatt04.doc](#) Pg. 12
3. **Procurement Report for January 2004** Pg. 16
Receive monthly procurement report. **Susan Van Note**
This item was unanimously received by the Administrative Committee on February 11, 2004. [BRD0403a-svn.doc](#)
4. **Policy on Election of District Representatives on Southern California Association of Governments (SCAG) Regional Council.** Pg. 18
Approve modifications to SANBAG Policy 10004 establishing procedures for election of District Representatives to SCAG Regional Council relative to the population requirements for districts and the terms for individuals elected to fill vacancies.
Deborah Barmack
This item was reviewed by the Administrative Committee on February 11, 2004, and was unanimously recommended for approval. [BRD0403C-DRB.DOC](#)
5. **Waiver of SANBAG policy relative to election for District Representatives on SCAG Regional Council.** Pg. 22
Approve a one-time waiver to SANBAG policy to allow Mayor Lee Ann Garcia, City of Grand Terrace, to be a candidate for election to serve as District Representative on SCAG Regional Council, due to her position of leadership and service.
Deborah Barmack
The Administrative Committee reviewed this item on February 11, 2004, and unanimously recommended a one time waiver of the SANBAG policy as indicated in the recommendation. [BRD0403B-DRB.DOC](#)

Consent Calendar Continued....

Regional & Quality of Life Programs

6. **Memorandum of Understanding (MOU) No. 04-53 with the Southern California Association of Governments (SCAG).** Pg. 26

Authorize the Executive Director to execute MOU No. 04-53, an asset disposition plan for SCAG Regional Rideshare services, which ended on June 30, 2003. **Michelle Kirkhoff**

This was reviewed and unanimously recommended for approval by the Plans and Programs Policy Committee on February 18, 2004. The MOU has received prior review and approval by SANBAG County Counsel. [BRD0403a-mm.k.doc](#)

Subregional Transportation Planning & Prog.

7. **Year 2004 State Transportation Improvement Program (STIP)** Pg. 42

1) Approve 2004 State Transportation Improvement Program (STIP) programming as shown in Table 5 (attached).

2) Approve 2004 STIP Transportation Enhancements (TE) programming as shown in Table 6 (attached). **Ty Schuiling**

This item was unanimously recommended for approval by the Major Projects Committee on February 12, the Plans and Programs Policy Committee on February 18, and the Mountain/Desert Committee on February 20, 2004.

[brd0403a-abz.doc](#)

Project Development

8. **Request for Qualifications (RFQ) No. 04-051 for qualified firms to prepare a Project Study Report (PSR) /Project Report (PR) for construction of an additional westbound lane on I-10 from Live Oak Canyon Road to Ford Street.** Pg. 54

Authorize release of Request for Qualifications (RFQ) No. 04-051 for qualified firms to prepare a Project Study Report (PSR)/Project Report (PR) for construction of an additional westbound lane on I-10 from Live Oak Canyon Road to Ford Street. This action imposes no financial impact. **Darren Kettle**

This item was reviewed and unanimously recommended for approval by the Major Projects Committee on February 12, 2004. [brd0403d-dmk.doc](#)

Consent Calendar Continued....**Project Development (Cont.)****9. Amendment No. 14 to Contract No. 91-034 with Fluor Daniel Pg. 70**

Approve Amendment No. 14 to Contract No. 91-034 with Fluor Daniel for a period of three years, at a total cost of \$9,494,547 as detailed in the Financial Impact Section. **Darren Kettle**

This item was reviewed and unanimously recommended for approval by the Major Projects Committee on February 12, 2004. [brd0403f-dmk.doc](#)

10. Amendments to extend period of performance for various contracts Pg. 82

Approve amendments to extend period of performance

CN 01-018-05	Leighton & Associates	Extend to 6/30/05
CN 01-015-04	Structural Design & Analysis	Extend to 6/30/05
CN 01-016-04	URS Corp.	Extend to 6/30/05
CN 01-017-04	Ashford Engineering, Inc.	Extend to 6/30/05
CN 97-039-05	L.D. King	Extend to 12/31/05
CN 93-082-07	Nossaman, Guthner, etal	Extend to 6/30/05
CN 96-019-01	David Evans & Associates	Extend to 12/31/04
CN 99-052-02	PBQ&D	Extend to 6/30/04

Darren Kettle

This item was reviewed and recommended for approval 12-0-2 (Biane and Pomierski abstained) by the Major Projects Committee on February 12, 2004. [brd0403j-dmk.doc](#)

Transportation Programs & Fund Administration**11. Quarterly Administrative Report on SANBAG TEA-21 Funding Programs Pg. 92**

- 1) Receive report on quarterly reporting and obligation status.
- 2) Adopt a finding of compliance with obligation requirements for all affected agencies. **Ty Schuiling**

This item was reviewed and unanimously recommended for approval by the Plans and Programs Policy Committee on February 18, 2004. It will be reviewed by the Mountain/Desert Committee on February 20, 2004. [brd0403b-abz.doc](#)

Consent Calendar Continued....**Transportation Programs & Fund Administration (Cont.)****12. Omnitrans Short Range Transit Plan (SRTP) Amendment and State Transit Assistance Fund (STAF) Allocation** Pg. 98

1. Approve amendment to Omnitrans' Fiscal Year 2004-2009 SRTP to reflect the consolidation of LTF, STAF and Measure I funding from several years for the Voice/Data Communication Project and add additional available funding from prior year completed projects to this project.

2. Adopt Resolution 04-018 rescinding a portion of the following STAF Allocation numbers:

<u>Allocation Number</u>	<u>In the Amount of</u>
95-08-OMN-B	\$ 201,097
98-08-OMN-B	\$ 107,583
99-01-OMN-B	\$ 164,108
00-05-OMN-B	\$ 384,978
01-05-OMN-B	\$ 3,879
02-05-OMN-B	\$ 2,170
03-08-OMN-B	\$ 640,000
04-05-OMN-B	\$ 21,550

For a total rescinded amount of \$1,525,365

3. Adopt Resolution 04-019 authorizing STAF Allocation number 04-10-OMN-B in the amount of \$1,525,365 for the upgrading and replacement of the Voice/Data Communication System in both the Fixed Route and Paratransit revenue vehicles.

4. Approve amendment to the SANBAG Fiscal Year 2004 Budget Task 0451300 by \$1,047,405 in Measure I - Valley Elderly and Handicapped funds for a new total of \$5,666,740, as identified in the Financial Impact Section. **Mike Bair**

This item was reviewed and unanimously recommended for approval by the Plans and Programs Committee on February 18, 2004. [BRD0403a-vlb.doc](#)

Program Support/Council of Govts.**13. San Bernardino Associated Governments State and Federal Legislative Program** Pg. 108

Approve the Proposed Federal and State Legislative Program.
Kris Leathers

SANBAG's executive staff, as well as its Federal and State legislative advocates have reviewed this item. The Administrative Committee unanimously approved this item at its February 11, 2004 committee meeting. [BRD0403A-kal.doc](#)

DISCUSSION ITEMS

Transportation Programs and Fund Administration

- 14. Assembly Bill (AB) 3090 Reimbursement Agreement for FY 2003-04 Planning, Programming, and Monitoring (PPM) Funds** Pg. 122

Approve Cooperative Agreement No. 04-056 with Caltrans establishing reimbursement conditions for the FY 2003-04 PPM funds. **Ty Schuiling**

This item is being presented directly to the SANBAG Board and has not received prior policy committee review because of recent changes in staff's understanding of how Caltrans and CTC intend to administer these funds. The cooperative agreement must be executed prior to CTC approval of the RTPA STIP amendment on April 2, 2004. [brd0403c-abz.doc](#)

Administrative Matters

- 15. Selection of San Bernardino Santa Fe Depot Property/Facility Management Firm** Pg. 126

1. Approve selection of CityCom Real Estate Services, Inc. dba City Commercial Management for property and facility management services at the San Bernardino Santa Fe Depot.

2. Approve SANBAG Contract 04-055 with CityCom Real Estate Services, Inc. in the amount of \$65,400 as identified in the Financial Impact Section. **Mike Bair**

The Administrative Committee provided advice on this item on January 14, 2004, and received an update on the selection process on February 11, 2004. Contract 04-055 has been prepared by SANBAG legal counsel. [BRD0403a-mab.doc](#)

- 16. Contract for Computer Network Management and Administration** Pg. 130

Approve Amendment No. 5 to sole source Contract 99-020 with TH Enterprises to extend the contract end date to July 31, 2004, and to increase the contract by \$47,100 for professional services associated with relocation of SANBAG network to the Depot and installation of Microsoft upgrades, as specified in the Financial Impact Section. **Deborah Barmack**

This item has been reviewed by SANBAG Counsel and was unanimously recommended for approval by the Administrative Committee on February 11, 2004. [BRD0403A-DRB.doc](#)

ADJOURN TO:**CLOSED SESSION**

**Conference with Legal Counsel – Anticipated Litigation
Initiation of Litigation Pursuant to Subdivision C of Section 45956.9**

RECONVENE TO:

**17. San Bernardino Santa Fe Depot-SANBAG Tenant Pg. 136
Improvements**

Approve Amendment No. 1 to ANBAG Contract No. 04-040 with the City of San Bernardino relating to the rehabilitation of the San Bernardino Santa Fe Depot.

Michael Bair/Deborah Barmack

This item has not been reviewed by a SANBAG Policy Committee and it being presented directly to the Board for consideration due to the necessity of immediately addressing the tenant improvements for SANBAG occupancy.

[BRD0403b1-mab.doc](#)

Other Matters

18. Consent Calendar Items Pulled for Discussion

Items pulled from the consent calendar shall be taken under this item in the order they were presented on the calendar.

19. Agency Reports/Committee Memberships

Commuter Rail Report

Pg. 138

Council Member Patricia Gilbreath

South Coast Air Quality Management Report

(Not Available at Time of Mailing)

Council Member Dennis Yates

SCAG Committees

Pg. 142

SCAG Regional Council

SCAG Standing Committees

Administration Committee

Implementation Committee

Planning Committee

SCAG Policy Committees

Community, Economic and Human Development

Energy and Environment

Transportation and Communications

SANBAG Policy Committees

Pg. 144

Acronym List [Acronym List.doc](#)

Pg. 146

Public Comment

- 20. Additional Items from Board Members**
- 21. Brief Comments by the General Public**

ADJOURNMENT

Complete packages of the SANBAG agenda are available for public review at the SANBAG offices. Staff reports for items may be made available upon request. For additional information call, (909) 884-8276.

Meeting Procedures

The Ralph M. Brown Act is the state law which guarantees the public's right to attend and participate in meetings of local legislative bodies. These rules have been adopted by the San Bernardino Associated Governments (SANBAG) Board of Directors in accordance with the Brown Act, Government Code 54950 et seq., and shall apply at all meetings of the SANBAG Board of Directors and Policy Committees.

Accessibility

The SANBAG meeting facility is accessible to persons with disabilities. If assistive listening devices or other auxiliary aids or services are needed in order to participate in the public meeting, requests should be made through the Clerk of the Board at least three (3) business days prior to the Board meeting. The Clerk's telephone number is (909) 884-8276 and office is located at 472 N. Arrowhead Avenue, San Bernardino, CA.

Agendas – All agendas are posted at 472 N. Arrowhead Avenue, San Bernardino at least 72 hours in advance of the meeting. Staff reports related to agenda items may be reviewed at the SANBAG offices located at 472 N. Arrowhead Avenue, San Bernardino.

Agenda Actions – Items listed on both the "Consent Calendar" and "Items for Discussion" contain suggested actions. The Board of Directors will generally consider items in the order listed on the agenda. However, items may be considered in any order. New agenda items can be added and action taken by two-thirds vote of the Board of Directors.

Closed Session Agenda Items – Consideration of closed session items *excludes* members of the public. These items include issues related to personnel, pending litigation, labor negotiations and real estate negotiations. Prior to each closed session, the Chair will announce the subject matter of the closed session. If action is taken in closed session, the Chair may report the action to the public at the conclusion of the closed session.

Public Testimony on an Item – Members of the public are afforded an opportunity to speak on any listed item. Individuals wishing to address the Board of Directors or Policy Committee Members should complete a "Request to Speak" form, provided at the rear of the meeting room, and present it to the SANBAG Clerk prior to the Board's consideration of the item. A "Request to Speak" form must be completed for *each* item when an individual wishes to speak on. When recognized by the Chair, speakers should be prepared to step forward and announce their name and address for the record. In the interest of facilitating the business of the Board, speakers are limited to three (3) minutes on each item. Additionally, a twelve (12) minute limitation is established for the total amount of time any one individual may address the Board at any one meeting. The Chair or a majority of the Board may establish a different time limit as appropriate, and parties to agenda items shall not be subject to the time limitations.

The Consent Calendar is considered a single item, thus the three (3) minute rule applies. Consent Calendar items can be pulled at Board member request and will be brought up individually at the specified time in the agenda allowing further public comment on those items.

Agenda Times – The Board is concerned that discussion take place in a timely and efficient manner. Agendas may be prepared with estimated times for categorical areas and certain topics to be discussed. These times may vary according to the length of presentation and amount of resulting discussion on agenda items.

Public Comment – At the end of the agenda, an opportunity is also provided for members of the public to speak on any subject with SANBAG's authority. *Matters raised under "Public Comment" may not be acted upon at that meeting. The time limits established in Rule #4 still apply.*

Disruptive Conduct – If any meeting of the Board is willfully disrupted by a person or by a group of persons so as to render the orderly conduct of the meeting impossible, the Chair may recess the meeting or order the person, group or groups of person willfully disrupting the meeting to leave the meeting or to be removed from the meeting. Disruptive conduct includes addressing the Board without first being recognized, not addressing the subject before the Board, repetitiously addressing the same subject, failing to relinquish the podium when requested to do so, or otherwise preventing the Board from conducting its meeting in an orderly manner. *Please be aware that a NO SMOKING policy has been established for SANBAG meetings. Your cooperation is appreciated!*